

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Patent Number: 7,436,454 B2  
Issued: October 14, 2008  
Name of Patentee: Takao Yamaguchi, et al.  
Title of Invention: METHOD AND APPARATUS FOR TRANSMITTING  
ENCODED INFORMATION BASED UPON PRIORITY  
DATA IN THE ENCODED INFORMATION

**REQUEST FOR CERTIFICATE OF CORRECTION OF PATENT  
FOR PTO MISTAKE (37 C.F.R. § 1.322(a))**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Attention: Certificate of Correction Branch

1. Attached is Form PTO/SB/44.
2. Correction of the Official Letters Patent is respectfully requested in view of the following text which appears correctly in the application file:

On the Cover Page, at item (54), the word "PIORITY" in the title should read -- PRIORITY --, as indicated in the Amendment Under Section 1.312 filed July 23, 2008.

On Page 2, at FOREIGN PATENT DOCUMENTS, insert -- JP 04-003684 1/1992 -- and -- JP 08-149420 06/1996 --, as indicated in the Supplemental Information Disclosure Statement filed November 1, 2007.

On Page 2, at OTHER PUBLICATIONS, "Decision of Rejection for Japanese Application No. 10-065582" should read -- Decision of Rejection for Japanese Application No. 10-065581 --, as indicated in the Correction to Information Disclosure Statement filed September 10, 2003.

On Page 2, at OTHER PUBLICATIONS, insert -- Tatsuo Nakajima, "Continuous Media Objects with Media Scaling," Proceeding of the Internal Conference, 1998 --, as indicated in the Supplemental Information Disclosure Statement filed November 1, 2007.

At Column 48, claim 12, "claim 11" should read -- claim 9 --, as indicated in the Preliminary Amendment filed June 20, 2008.

3. Please send the Certificate to:

Name: Lawrence E. Ashery  
P.O. Box 980  
Valley Forge, PA 19482  
(610) 407-0700

Name of Assignee: Matsushita Electric Industrial Co., Ltd.

Assignment Recorded on: March 17, 1999

Reel: 010080

Frame: 0462

Respectfully submitted,

Lawrence E. Ashery, Reg. No. 34,515  
Attorney for Applicants

LEA/dmw

Enclosures: Form PTO/SB/44  
Supporting Documents

Dated: December 11, 2008

P.O. Box 980  
Valley Forge, PA 19482  
(610) 407-0700

363901

Application No.: 10/626,075  
Amendment Dated July 23, 2008  
Reply to Notice of Allowance Dated July 15, 2008

MDA-2880US3

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Appn. No: 10/626,075  
Applicant: Takao Yamaguchi, et al.  
Filed: July 24, 2003  
Title: METHOD AND APPARATUS FOR TRANSMITTING  
ENCODED INFORMATION BASED UPON PRIORITY  
DATA IN THE ENCODED INFORMATION  
T.C./A.U.: 2622  
Examiner: Victor R. Kostak  
Confirmation No.: 9771  
Docket No.: MDA-2880US3

COPY

**AMENDMENT UNDER SECTION 1.312**

Mail Stop Issue Fee  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Responsive to the Notice of Allowance dated July 15, 2008, please amend the above-identified application as follows:

- Amendments to the Specification** begin on page **2** of this paper.
- Amendments to the Claims** are reflected in the listing of claims which begins on page \_\_\_\_\_ of this paper.
- Amendments to the Drawings** begin on page \_\_\_\_\_ of this paper and include an attached replacement sheet(s).
- Amendments to the Abstract** are on page \_\_\_\_\_ of this paper. A clean version of the Abstract is on page \_\_\_\_\_ of this paper.
- Remarks/Arguments** begin on page **3** of this paper.

Application No.: 10/626,075  
Amendment Dated July 23, 2008  
Reply to Notice of Allowance Dated July 15, 2008

MDA-2880US3

**Amendments to the Specification:**

Please replace the title with the following, which was amended by the Amendment filed on May 15, 2007:

METHOD AND APPARATUS FOR TRANSMITTING ENCODED INFORMATION BASED UPON PRIORITY DATA IN THE ENCODED INFORMATION



**COPY**

Application No.: 10/626,075  
Amendment Dated July 23, 2008  
Reply to Notice of Allowance Dated July 15, 2008

MDA-2880US3

**Remarks/Arguments:**

The Notice of Allowance dated July 15, 2008 contains a typographical error in the title.  
"PIORITY" should read -- PRIORITY - as indicated in the Amendment filed on May 15, 2007,  
namely:

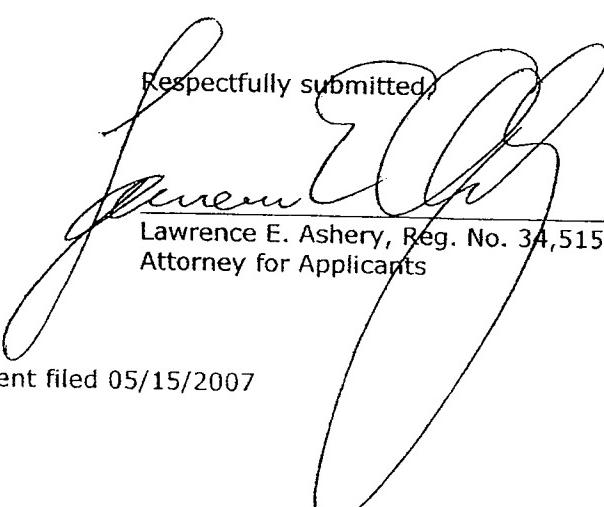


METHOD AND APPARATUS FOR TRANSMITTING ENCODED INFORMATION BASED UPON  
PRIORITY DATA IN THE ENCODED INFORMATION



COPY

Respectfully submitted,

  
Lawrence E. Ashery, Reg. No. 34,515  
Attorney for Applicants

LEA/dmw

Attachment: Copy/Page 2 of Amendment filed 05/15/2007

Dated: July 23, 2008

P.O. Box 980  
Valley Forge, PA 19482  
(610) 407-0700

311591

Appn. No.: 10/626,075  
Amendment Dated: May 15, 2007  
Reply to Office Action of: February 15, 2007

MDA-2880US3

**Amendments to the Title:**

Please replace the Title with the following:

METHOD AND APPARATUS FOR PROCESSING TRANSMITTING ENCODED INFORMATION BASED UPON A DATA SERIES, INCLUDING PROCESSING PRIORITY DATA IN THE ENCODED INFORMATION



COPY

COPY

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Appln. No: 10/626,075  
Applicants: Takao Yamaguchi et al.  
Filed: July 24, 2003  
Title: METHOD AND APPARATUS FOR TRANSMITTING ENCODED INFORMATION  
BASED UPON PRIORITY DATA IN THE ENCODED INFORMATION  
TC/A.U.: 2622  
Examiner: Victor R. Kostak

COPY

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 C.F.R. §§ 1.97 and 1.98 and to the duty of disclosure set forth in 37 C.F.R. § 1.56, the Examiner in charge of the above-identified application is requested to consider and make of record the references listed on the PTO/SB/08a and PTO/SB/08b submitted herewith. A copy of each reference listed on the PTO/SB/08a and PTO/SB/08b, other than U.S. patents, is enclosed.

Although the information submitted herewith may be "material" to the Examiner's consideration of the subject application, this submission is not intended to constitute an admission that such information is "prior art" as to the claimed invention.

In accordance with 37 C.F.R. § 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made.

The following Japanese references are not in the English language:

- 1) 04-003684
- 2) 08-149420

References 1) and 2) are not in the English language but an English abstract thereof is attached to the copy of the references submitted herewith.

References 1) and 2) were cited by a foreign patent office in a counterpart foreign application. MPEP Section 609(a)iii, second paragraph.

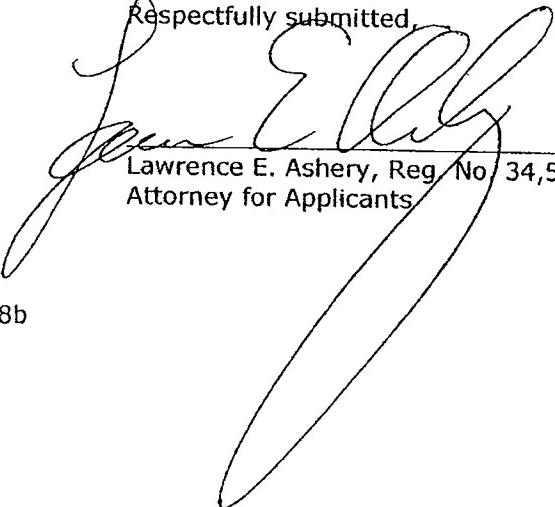
**COPY**

More than three months have elapsed since the filing of the above-referenced application and/or a first (non-Final) Official Action has been received. No Final Action or Notice of Allowance has yet been received and it is presumed that none has yet been mailed. Accordingly, as more specifically indicated below, a statement as required by 37 C.F.R. § 1.97(c) is provided herewith.

STATEMENT

The undersigned hereby states that each item of information disclosed in the Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Information Disclosure Statement.

Respectfully submitted,

  
Lawrence E. Ashery, Reg. No. 34,515  
Attorney for Applicants

LEA/nm

Enclosures: PTO/SB/08a and PTO/SB/08b  
(3) References

Dated: November 1, 2007

P.O. Box 980  
Valley Forge, PA 19482  
(610) 407-0700

NM212404

# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

SHEET 1 of 2

*Complete if Known*

Application Number	10/626,075
Filing Date	July 24, 2003
First Named Inventor	Takao Yamaguchi et al.
Art Unit	2622
Examiner Name	Victor R. Kostak
Attorney Docket No.	MDA-2880US3

COPY

## U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date (MM-DD-YYYY)	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number - Kind Code <sup>2</sup> (if known)			
		US-			

## FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date (MM-DD-YYYY)	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> - Number <sup>4</sup> - Kind Code <sup>5</sup> (if known)				
		JP 04-003684 (with English abstract)	01-08-1992	Matsushita Electric Industrial Co., Ltd.		<input checked="" type="checkbox"/>
		JP 08-149420 (with English abstract)	06-07-1996	AT & T Corp.		<input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>

Examiner Signature	Date Considered
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

<sup>1</sup>Applicant's unique citation designation number (optional).

<sup>2</sup>See Kind Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04.

<sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard St.3).

<sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.

<sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible.

<sup>6</sup>Applicant is to place a check mark here if English language translation is attached.

The collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

## **INFORMATION DISCLOSURE STATEMENT BY APPLICANT**

**(Use as many sheets as necessary)**

SHEET 2 of 2

<i>Complete if Known</i>	
Application Number	10/626,075
Filing Date	July 24, 2003
First Named Inventor	Takao Yamaguchi et al.
Art Unit	2622
Examiner Name	Victor R. Kostak
Attorney Docket No.	MDA-2880US3

## **NON-PATENT LITERATURE DOCUMENTS**

Examiner Signature		Date Considered	
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

**1 Applicant's unique citation designation number (optional).**

<sup>2</sup>Applicant is to place a check mark here if English language

collection of information is required by 37 CFR 1.98. The Information is required to a

**SEND TO:** Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450. No information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 120 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application No.: 10/626,075  
Applicant: T. Yamaguchi et al.  
Filed: July 24, 2003  
Title: METHOD AND APPARATUS FOR PROCESSING A DATA SERIES  
INCLUDING PROCESSING PRIORITY DATA (AS AMENDED)

TC/A.U.: To Be Assigned  
Examiner: To Be Assigned  
Confirmation No.: To Be Assigned  
Docket No.: MDA-2880US3

COPY

**CORRECTION TO**  
**INFORMATION DISCLOSURE STATEMENT**  
**FILED JULY 24, 2003**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

SIR:

In the Information Disclosure Statement filed July 24, 2003, the following references were incorrectly cited.

1) US 5,117,145: The correct reference number is US 5,617,145; and

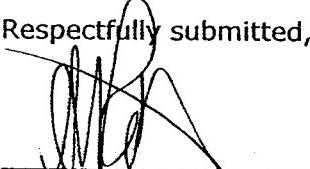
2) Decision of Rejection for Japanese Application No. 10-065582  
mailed January 7, 2003: The correct reference number is 10-065581.

The enclosed Form 1449 previously submitted with the July 24, 2003, Information Disclosure Statement has been corrected.

COPY

This Information Disclosure Statement is being filed within three months of the filing date of the above-referenced application. No fee or statement is required. 37 C.F.R. § 1.97(b).

Respectfully submitted,

  
Allan Ratner, Reg. No. 19,717  
Jack J. Jankovitz, Reg. No. 42,690  
Attorneys for Applicants

AR/fp

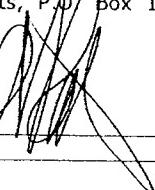
Enclosure: PTO Form 1449

Dated: September 10, 2003

Suite 301, One Westlakes, Berwyn  
P.O. Box 980  
Valley Forge, PA 19482-0980  
(610) 407-0700

The Commissioner for Patents is hereby authorized to charge payment to Deposit Account No. **18-0350** of any fees associated with this communication.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on:

  
**September 10, 2003**

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Substitute for Form 1449/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

SHEET 1 of 3

Complete if Known

Application Number	To Be Assigned	10/62L075
Filing Date	Herewith	7/24/03
First Named Inventor	T. Yamaguchi et al.	
Art Unit	To Be Assigned	
Examiner Name	To Be Assigned	

Attorney Docket No. MDA-2880US3

COPY

**U.S. PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date (MM-DD-YYYY)	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number - Kind Code <sup>2</sup> (if known)			
		US 6,094,457	07/00	Linzer et al.	Entire document.
		US 5,117,145	04/97	Huang et al.	Entire document.
		US 5,699,474	12/16/97	Suzuki et al.	Entire document.
		US 6,088,360 A	07/11/00	Amaral et al.	Entire document.
		US 5,512,939 A	04/30/96	Zhou	Entire document.
		US 5,231,492 A	07/27/93	Dangi et al.	Entire document.
		US 5,928,330 A	07/27/99	Goetz et al.	Entire document.

**FOREIGN PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date (MM-DD-YYYY)	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> - Number <sup>4</sup> - Kind Code <sup>5</sup> (if known)				
		JP 02-86241 (with English abstract)	03/27/90		Entire document.	<input type="checkbox"/>
		JP 03-276941 (with English abstract)	12/09/91		Entire document.	<input type="checkbox"/>
		JP 04-92536 (with English abstract)	03/25/92		Entire document.	<input type="checkbox"/>
		JP 05-30138 (with English abstract)	2/5/93		Entire document.	<input type="checkbox"/>
		JP 05-64167 (with English abstract)	3/12/93		Entire document.	<input type="checkbox"/>
		JP 05-137125 (with English abstract)	6/1/93		Entire document.	<input type="checkbox"/>
		JP 05-327758 (with English abstract)	12/10/93		Entire document.	<input type="checkbox"/>
		JP 06-339137 (with English abstract)	12/06/94		Entire document.	<input type="checkbox"/>
		JP 07-264573 (with English abstract)	10/13/95		Entire document.	<input type="checkbox"/>
		JP 07-312756 (with English abstract)	11/28/95		Entire document.	<input type="checkbox"/>
		JP 08-18524 (with English abstract)	01/19/96		Entire document.	<input type="checkbox"/>
		JP 09-191453 (with English abstract)	07/22/97		Entire document.	<input type="checkbox"/>
		JP 09-214447 (with English abstract)	08/15/97		Entire document.	<input type="checkbox"/>
		JP 10-164530 (with English abstract)	06/19/98		Entire document.	<input type="checkbox"/>
		JP 10-232658 (with English abstract)	09/02/98		Entire document.	<input type="checkbox"/>
		JP 10-243374 (with English abstract)	09/11/98		Entire document.	<input type="checkbox"/>

Examiner Signature	Date Considered
--------------------	-----------------

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

<sup>1</sup>Applicant's unique citation designation number (optional).<sup>2</sup>See Kind Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04.<sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard St.3).<sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.<sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible.<sup>6</sup>Applicant is to place a check mark here if English language translation is attached.

The collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

**Substitute for Form 1449/PTO**

**Complete if Known**

Application Number	To Be Assigned	10/626/075
Filing Date	Herewith	7/24/03
First Named Inventor	T. Yamaguchi et al.	
Art Unit	To Be Assigned	
Examiner Name	To Be Assigned	
Attorney Docket No.	MDA-2880US3	

SHEET 2 of 3

**Attorney Docket No.**

U.S. PATENT DOCUMENTS

## **FOREIGN PATENT DOCUMENTS**

Examiner Signature		Date Considered	
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**EXAMINED:** Initial life of *Leucaspis* and *Leucaspis* species.

EXAMINER: Initial if reference considered, whether or not citation is in conformance with 37 CFR 1.56. If no initial, state reason for non-compliance. If citation is not in conformance with 37 CFR 1.56, include copy of this form with next communication to examiner.

<sup>1</sup>Applicant's unique citation designation number (optional)

<sup>1</sup>Applicant's unique citation designation number (optional).  
<sup>2</sup>See Kind Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 201.01.

<sup>3</sup>See King Codes or USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04.  
<sup>4</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard St 3).

The collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO:

If you need assistance in completing the form, call 1-800-876-2122 (1-800-FBI-2122).

Substitute for Form 1449/PTO

# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

SHEET 3 of 3

## Complete if Known

Application Number	To Be Assigned	10/626,075
Filing Date	Herewith	7/24/03
First Named Inventor	T. Yamaguchi et al.	
Art Unit	To Be Assigned	
Examiner Name	To Be Assigned	
Attorney Docket No.	MDA-2880US3	

## NON-PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	<sup>2</sup>
	✓	H. Shimamura et al., "A Modeling of Multimedia Presentation with Quality Control", Research Report of Information Processing Society, 94-DPS-66-20, pp. 115-120, July 8, 1994.	<input type="checkbox"/>
	✓	S. Oh et al., "The QoS Architecture in the Distributed Multimedia System Symphony", Research Report of Information Processing Society, 95-DPS-70-7, pp. 39-44, May 25, 1995.	<input type="checkbox"/>
	✓	Hiroshi Fujiwara "Saishin MPEG Kyokasho", ASCII, pp. 236-237, August 1, 1994 (with partial English translation).	<input type="checkbox"/>
	✓	Notice of Reasons of Rejection for Japanese Application No. 2002-230064 mailed January 7, 2003 (with English translation).	<input type="checkbox"/>
	✓	Decision of Rejection for Japanese Application No. 10-065582 mailed January 7, 2003 (with partial English translation). <i>10-065581</i>	<input type="checkbox"/>
	✓	K. Hashimoto et al., "QoS Guarantee Functions for Continuous Media Services", Research Report of Information Processing Society, Vol. 95, No. 61, 95-DPS-71, pp. 97-102, July 13, 1995.	<input type="checkbox"/>
	✓	D. Horie et al., "Realization of An Audio Adjustment Mechanism Considering Environment in A Distributed Multimedia System", Research Report of Information Processing Society, Vol. 96, No. 20, 96-DPS-75, pp. 79-84, March 1, 1996.	<input type="checkbox"/>
	✓	T. Yamaguchi et al., "Synchronized Audio and Visual Decoding and Transmission Scheme that is tolerant to Variation of Processing Environment", Research Report of Information Processing Society, Vol. 98, No. 15, 98-OS-77 and 98-DPS-87-, pp. 147-153, February 27, 1998.	<input type="checkbox"/>
	✓	T. Nakajima, "Operating System Supports for Continuous Media", ITE Technical Report Vol. 18, No. 39, pp. 43-48, July 7, 1994.	<input type="checkbox"/>
	✓	Notice of Reasons for Rejection mailed September 17, 2002 for a corresponding Japanese patent application.	<input type="checkbox"/>
	✓	Latest MPEG Handbook", Ascii Corporation, Tokyo, 12/21/95, p. 102-107 and 236-237.	<input type="checkbox"/>
	✓	Japanese language search report for Int'l Appln. No. PCT/JP98/01084 dated July 21, 1998.	<input type="checkbox"/>
	✓	English translation of Japanese language search report.	<input type="checkbox"/>

Examiner Signature	Date Considered
--------------------	-----------------

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

<sup>1</sup>Applicant's unique citation designation number (optional).<sup>2</sup>Applicant is to place a check mark here if English language translation is attached.

The collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 120 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO:  
**Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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Appn. No.: 10/626,075  
Amendment Dated June 20, 2008  
Reply to Office Action of March 20, 2008

MDA-2880US3

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Appn. No: 10/626,075  
Applicants: Takao Yamaguchi et al.  
Filed: July 24, 2003  
Title: METHOD AND APPARATUS FOR TRANSMITTING  
ENCODED INFORMATION BASED UPON PRIORITY  
DATA IN THE ENCODED INFORMATION  
T.C./A.U.: 2622  
Examiner: Victor R. Kostak  
Confirmation No.: 9771  
Docket No.: MDA-2880US3

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**PRELIMINARY AMENDMENT**

Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Responsive to the Final Office Action dated March 20, 2008, please amend the above-identified application as follows:

- Amendments to the Specification** begin on page \_\_\_\_\_ of this paper.
- Amendments to the Claims** are reflected in the listing of claims which begins on page **2** of this paper.
- Amendments to the Drawings** begin on page \_\_\_\_\_ of this paper and include an attached replacement sheet(s).
- Amendments to the Abstract** are on page \_\_\_\_\_ of this paper. A clean version of the Abstract is on page \_\_\_\_\_ of this paper.
- Remarks/Arguments** begin on page **8** of this paper.

**Amendments to the Claims:**

This listing of claims will replace all prior versions, and listings, of claims in the application.

Listing of Claims:

✓ 1. - 22. (Cancelled)

✓ 23. (Currently Amended) A data processing apparatus configured for:

determining a priority threshold to achieve a desired transmission rate of for a stream of video or audio data comprising a header, a priority offset, and a plurality of portions of encoded information, the header including stream priority information comprising a stream priority and each portion of the encoded information including priority information comprising a priority for the each portion of the encoded information;

transmitting portions of the encoded information when a combination of the stream priority, the priority offset, and the priority of the transmitted portions of the encoded information satisfies the priority threshold and not transmitting other portions of the encoded information when a combination of the stream priority, the priority offset, and the priority of the other portions of the encoded information does not satisfy the priority threshold to thin the transmitted encoded information; and

when (1) an actual transfer rate of the transmitted portions of the encoded information exceeds a target transfer rate or (2) a decision is made that a writing of the portions of the encoded information into a transmitting buffer is delayed, the decision being based on a result of comparing an elapsed time after start of transmission with a time added to the encoded information, the added time indicating when the portions of the encoded information are to be decoded or output, adjusting the priority threshold to reduce a size of a further portion of the encoded information to be transmitted, thereby further thinning the encoded information that is transmitted.

✓ 24. - 58. (Cancelled)

✓ 59. (Currently Amended) A data processing method comprising the steps of:

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successively inputting priority offsets, classified time-series data, and encoded priority information for the time-series data, the encoded priority information comprising a priority for each inputted time-series data;

determining a threshold priority for retransmitting a requested portion of the time-series data;

transmitting the priority offsets, the classified time-series data, and the encoded priority information as a stream that includes a header comprising stream priority information comprising a stream priority;

receiving the stream;

when information in the stream is damaged or lost, requesting retransmission of time-series data corresponding to the damaged or lost information;

retransmitting the requested time-series data when a combination of the stream priority, one or more of the priority offsets, and the priority of the requested time-series data corresponding to the damaged or lost information satisfies the threshold priority and not retransmitting the requested time-series data when a combination of the stream priority, one or more of the priority offsets, and the priority of the requested time-series data corresponding to the damaged or lost information does not satisfy the threshold priority; and

when the transmitted time-series data is damaged or lost at a frequency exceeding a threshold value, adjusting the threshold priority to reduce an amount of the requested time-series data retransmitted.

8✓ 60. (Currently Amended) A data processing apparatus configured for:

receiving a stream of successive priority offsets, encoded time-series data, and encoded priority information comprising a priority for each received time-series data, the stream including a header comprising stream priority information comprising a stream priority;

determining a threshold priority for requesting retransmission of a portion of the received time-series data;

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when information in the stream is damaged or lost, requesting retransmission of time-series data corresponding to the damaged or lost information if a combination of the stream priority, one or more of the priority offsets, and the priority of the requested time-series data corresponding to the damaged or lost information satisfies the threshold priority but not if a combination of the stream priority, one or more of the priority offsets, and the priority of the requested time-series data corresponding to the damaged or lost information does not satisfy the threshold priority; and

when information in the classified time-series data is damaged or lost at a frequency exceeding a threshold value, adjusting the threshold priority to reduce a frequency of retransmission requests issued.

61. (Currently Amended) A data processing method comprising the steps of:

successively inputting priority offsets, classified time-series data, and encoded priority information for the time-series data, the encoded priority information comprising a priority for each inputted time-series data;

determining a threshold priority for transmitting the time-series data to achieve a desired transmission rate;

transmitting, as a stream that includes a header comprising stream priority information comprising a stream priority, each of the priority offsets and the classified time-series data that comprises a priority that, in combination with the stream priority and one or more of the priority offsets, satisfies the threshold priority and not transmitting classified time-series data comprising a priority that, in combination with the stream priority and one or more of the priority offsets, does not satisfy the threshold priority; and

when an actual transmission rate exceeds the desired transmission rate, adjusting the threshold priority to thin out the transmitted stream.

62. (Currently Amended) A data processing apparatus configured for:

receiving a stream of successive priority offsets, encoded time-series data, and encoded priority information comprising a priority for each received time series data;

determining a priority threshold to achieve a desired transmission rate;

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transmitting, as a stream that includes a header comprising stream priority information comprising a stream priority, each of the priority offsets and the encoded time-series data that comprises a priority that, in combination with the stream priority and one or more of the priority offsets, satisfies the priority threshold and not transmitting encoded time-series data comprising a priority that, in combination with the stream priority and one or more of the priority offsets, does not satisfy the priority threshold; and

adjusting the priority threshold to thin out the transmitted stream to achieve the desired transmission rate when the desired transmission rate has not been achieved.

✓ 63. - 94. (Cancelled)

✓ 95. (Currently Amended) A data processing method comprising:

determining a priority threshold to achieve a desired transmission rate for a stream of video or audio data comprising a header, a priority offset, and a plurality of portions of encoded information, the header including stream priority information comprising a stream priority and each portion of the encoded information including priority information comprising a priority for the each portion of the encoded information;

transmitting portions of the encoded information when a combination of the stream priority, the priority offset, and the priority of the transmitted portions of the encoded information satisfies the priority threshold and not transmitting other portions of the encoded information when a combination of the stream priority, the priority offset, and the priority of the other portions of the encoded information does not satisfy the priority threshold;

when (1) an actual transfer rate of the transmitted portions of the encoded information exceeds a target transfer rate or (2) a decision is made that a writing of the portions of encoded information into a transmitting buffer is delayed, the decision being based on a result of comparing an elapsed time after start of transmission with a time added to the encoded information, the added time indicating when the portions of the encoded information is to be decoded or output, adjusting the priority threshold to reduce a size of a further portion of the encoded information to be transmitted, thereby further thinning the encoded information that is transmitted.

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✓✓ 96. (Previously Presented) The data processing apparatus of claim 23, wherein when a transmission rate exceeds a threshold value, an increased priority is given to the encoded information that should be transmitted in order to decrease the transmission rate.

✓✓ 97. (Previously Presented) The data processing method of claim 59, wherein when a loss rate of encoded information or a retransmission frequency exceeds a threshold value, an increased priority is given to the encoded information that should be retransmitted in order to decrease the loss rate or the retransmission frequency.

✓✓ 98. (Previously Presented) The data processing method of claim 61, wherein when a transmission rate exceeds a threshold value, an increased priority is given to the encoded information that should be transmitted in order to decrease the transmission rate.

✓✓ 99. (Previously Presented) The data processing apparatus of claim 23, wherein the encoded information is for I frame, P frame or B frame video data, and

the priority threshold is raised or lowered according to the priority information added to the encoded information.

✓✓ 100. (Previously Presented) The data processing apparatus of claim 23, wherein at least one of the stream priority and the priority for the each portion of the encoded information is raised when at least one of a retransmission frequency and a loss rate of information exceeds a predetermined threshold.

✓✓ 101. (Previously Presented) The data processing method of claim 59 further comprising raising at least one of the stream priority and the priority for the each inputted time-series data when at least one of a retransmission frequency and a loss rate of information exceeds a predetermined threshold.

✓✓ 102. (Previously Presented) The data processing apparatus of claim 60, wherein at least one of the stream priority and the priority for the each received time-series data is raised when at least one of a retransmission frequency and a loss rate of information exceeds a predetermined threshold.

✓✓ 103. (Previously Presented) The data processing method of claim 61 further comprising raising at least one of the stream priority and the priority for the each inputted

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time-series data when at least one of a retransmission frequency and a loss rate of information exceeds a predetermined threshold.

¶ 104. (Previously Presented) The data processing apparatus of claim 62, wherein at least one of the stream priority and the priority for the each received time-series data is raised when at least one of a retransmission frequency and a loss rate of information exceeds a predetermined threshold.

¶ 105. (Previously Presented) The data processing method of claim 95 further comprising raising at least one of the stream priority and the priority for the each portion of the encoded information when at least one of a retransmission frequency and a loss rate of information exceeds a predetermined threshold.

**UNITED STATES PATENT AND TRADEMARK OFFICE  
CERTIFICATE OF CORRECTION**

PATENT NO: 7,436,454 B2

Page 1 of 1

APPLICATION NO.: 10/626,075

DATED: OCTOBER 14, 2008

INVENTOR(S): TAKAO YAMAGUCHI, ET AL.

It is certified that error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

Cover Page

At item (54), the word "PIORITY" in the title should read -- PRIORITY --.

Page 2,

At FOREIGN PATENT DOCUMENTS, insert -- JP 04-003684 1/1992 -- and -- JP 08-149420 06/1996 --.

At OTHER PUBLICATIONS, "Decision of Rejection for Japanese Application No. 10-065582" should read -- Decision of Rejection for Japanese Application No. 10-065581 --.

At OTHER PUBLICATIONS, insert -- Tatsuo Nakajima, "Continuous Media Objects with Media Scaling," Proceeding of the Internal Conference, 1998. --.

Column 48

At claim 12, "claim 11" should read -- claim 9 --.

Mailing Address of Sender:

RatnerPrestia  
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